

**EIGHTY-SEVENTH GENERAL ASSEMBLY
2018 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

February 7, 2018

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
SF 2164	S-5002	Filed	TIM KRAAYENBRINK, et al

Fiscal Notes

[SF 2148](#) — [Automated Traffic Law Enforcement Ban](#) (LSB5244SV)

[SF 2163](#) — [Snow Plow Lights, White and Blue, Permanency](#) (LSB5325SV)

[SF 2165](#) — [Victim Compensation](#) (LSB5650SV)

SENATE FILE 2164

S-5002

1 Amend Senate File 2164 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I

4 PERCENTS OF GROWTH — REPLACEMENT PAYMENTS>

5 2. Page 2, line 34, after <This> by inserting <division of
6 this>

7 3. Page 2, after line 35 by inserting:

8 <DIVISION ____

9 STATE AND DISTRICT COSTS PER PUPIL

10 Sec. _____. Section 257.2, subsection 12, Code 2018, is
11 amended to read as follows:

12 12. "*Supplemental state aid*" means the amount by which state
13 cost per pupil and district cost per pupil will increase from
14 one budget year to the next as the result of the state percent
15 of growth.

16 Sec. _____. Section 257.8, subsection 5, Code 2018, is amended
17 to read as follows:

18 5. *Alternate supplemental state aid — definitions.*

19 a. For budget years beginning July 1, 2000, and subsequent
20 budget years, references to the terms "*supplemental state aid*",
21 "*regular program state cost per pupil*", and "*regular program*
22 *district cost per pupil*" shall mean those terms as calculated
23 for those school districts that calculated regular program
24 supplemental state aid for the school budget year beginning
25 July 1, 1999, with the additional thirty-eight dollars
26 specified in section 257.8, subsection 4, Code 2013.

27 b. For the budget year beginning July 1, 2018, and
28 subsequent budget years, references to "*supplemental state*
29 *aid*" and "*regular program state cost per pupil*" shall mean
30 those terms as calculated including the additional amount for
31 the budget year beginning July 1, 2018, under section 257.9,
32 subsection 2, paragraph "b", and references to "*regular program*
33 *district cost per pupil*" shall mean that term as calculated
34 including any adjustments made under section 257.10, subsection
35 2.

1 Sec. _____. Section 257.9, subsection 2, Code 2018, is amended
2 to read as follows:

3 2. *Regular program state cost per pupil for 1992-1993 and*
4 *succeeding years.*

5 a. For the budget year beginning July 1, 1992, and
6 succeeding budget years beginning before July 1, 2018, the
7 regular program state cost per pupil for a budget year is the
8 regular program state cost per pupil for the base year plus the
9 regular program supplemental state aid for the budget year.

10 b. For the budget year beginning July 1, 2018, the regular
11 program state cost per pupil is the regular program state
12 cost per pupil for the base year plus the regular program
13 supplemental state aid for the budget year, plus five dollars.

14 c. For the budget year beginning July 1, 2019, and
15 succeeding budget years, the regular program state cost per
16 pupil for a budget year is the regular program state cost per
17 pupil for the base year plus the regular program supplemental
18 state aid for the budget year.

19 Sec. _____. Section 257.10, subsection 2, paragraph b, Code
20 2018, is amended to read as follows:

21 b. If the regular program district cost per pupil of a
22 school district for the budget year under paragraph "a" exceeds
23 one hundred five percent of the regular program state cost
24 per pupil for the budget year and the state percent of growth
25 for the budget year is greater than two percent, the regular
26 program district cost per pupil for the budget year for that
27 district shall be reduced to one hundred five percent of the
28 regular program state cost per pupil for the budget year.
29 However, under such conditions, if the difference between the
30 regular program district cost per pupil for the budget year and
31 the regular program state cost per pupil for the budget year
32 is greater than an amount equal to two percent multiplied by
33 the regular program state cost per pupil for the base year, the
34 regular program district cost per pupil for the budget year
35 shall be reduced by the amount equal to two percent multiplied

1 by the regular program state cost per pupil for the base year.

2 Sec. _____. Section 257.10, subsection 2, Code 2018, is
3 amended by adding the following new paragraph:

4 NEW PARAGRAPH. *c.* For the budget year beginning July 1,
5 2018, and succeeding budget years, if the regular program
6 district cost per pupil for the budget year calculated under
7 this subsection in any school district is less than the
8 regular program state cost per pupil for the budget year, the
9 department of management shall increase the regular program
10 district cost per pupil of that district to an amount equal to
11 the regular program state cost per pupil for the budget year.

12 Sec. _____. EFFECTIVE UPON ENACTMENT. This division of this
13 Act, being deemed of immediate importance, takes effect upon
14 enactment.

15 DIVISION _____

16 SCHOOL DISTRICT SUPPLEMENTARY WEIGHTING

17 Sec. _____. Section 257.11, Code 2018, is amended by adding
18 the following new subsection:

19 NEW SUBSECTION. *7A. School district transportation costs.*

20 *a.* In order to provide additional funds for school district
21 transportation costs resulting from the transportation of
22 resident pupils required by chapter 285 and paid from sources
23 other than the district's physical plant and equipment levy
24 fund under section 298A.4 or revenue received from the secure
25 an advanced vision for education fund under section 423F.2, a
26 supplementary weighting plan for such pupils is adopted.

27 *b.* For the budget year beginning July 1, 2018, and each
28 succeeding budget year, each school district shall be assigned
29 a supplementary weighting amount equal to ten percent of the
30 combined weighting amount calculated under paragraph "c",
31 subparagraph (2), for that budget year.

32 *c.* (1) (a) *Transportation cost factor.* For each budget
33 year beginning on or after July 1, 2018, the department of
34 management shall calculate for each school district all of the
35 following:

S-5002 (Continued)

1 (i) The sum of the school district's total transportation
2 costs incurred for the transportation of pupils required under
3 chapter 285, and paid from sources other than the district's
4 physical plant and equipment levy fund under section 298A.4
5 or revenue received from the secure an advanced vision for
6 education fund under section 423F.2, for the three years
7 immediately preceding the base year.

8 (ii) The sum of the school district's regular program
9 district cost for the three years immediately preceding the
10 base year, excluding amounts attributable to budget adjustments
11 received under section 257.14.

12 (iii) The school district's budget enrollment multiplied by
13 the quotient of the school district's amount under subparagraph
14 subdivision (i) divided by the school district's amount under
15 subparagraph subdivision (ii).

16 (iv) The school district's amount under subparagraph
17 subdivision (iii) divided by the sum of the amounts calculated
18 under subparagraph subdivision (iii) for all school districts.

19 (v) The amount calculated under subparagraph subdivision
20 (iv) multiplied by ninety percent of the sum of all school
21 districts' transportation costs incurred for the transportation
22 of pupils required under chapter 285 for the year preceding
23 the base year and paid from sources other than the district's
24 physical plant and equipment levy fund under section 298A.4
25 or revenue received from the secure an advanced vision for
26 education fund under section 423F.2.

27 (vi) The quotient of the amount calculated under
28 subparagraph subdivision (v) divided by the regular program
29 state cost per pupil for the budget year.

30 (b) *Budget enrollment factor.* For each budget year
31 beginning on or after July 1, 2018, the department of
32 management shall calculate for each school district all of the
33 following:

34 (i) The quotient of the school district's budget enrollment
35 divided by the statewide total budget enrollment multiplied by

1 five percent of the sum of all school districts' transportation
2 costs incurred for the transportation of pupils required under
3 chapter 285 for the year preceding the base year and paid from
4 sources other than the district's physical plant and equipment
5 levy fund under section 298A.4 or revenue received from the
6 secure an advanced vision for education fund under section
7 423F.2.

8 (ii) The amount calculated under subparagraph subdivision
9 (i) divided by the regular program state cost per pupil for the
10 budget year.

11 (c) *Route miles factor.* For each budget year beginning
12 on or after July 1, 2018, the department of management shall
13 calculate for each school district all of the following:

14 (i) The quotient of the school district's total route
15 miles traveled for the transportation of pupils required under
16 chapter 285 for the year preceding the base year divided by the
17 school district's budget enrollment.

18 (ii) The school district's amount under subparagraph
19 subdivision (i) divided by the sum of the amounts calculated
20 under subparagraph subdivision (i) for all school districts.

21 (iii) The amount calculated under subparagraph subdivision
22 (ii) multiplied by five percent of the sum of all school
23 districts' transportation costs incurred for the transportation
24 of pupils required under chapter 285 for the year preceding
25 the base year and paid from sources other than the district's
26 physical plant and equipment levy fund under section 298A.4
27 or revenue received from the secure an advanced vision for
28 education fund under section 423F.2.

29 (iv) The amount calculated under subparagraph subdivision
30 (iii) divided by the regular program state cost per pupil for
31 the budget year.

32 (2) The combined weighting amount for each school district
33 is the sum of the following:

34 (a) The amount calculated under subparagraph (1),
35 subparagraph division (a), subparagraph subdivision (vi).

1 (b) The amount calculated under subparagraph (1),
2 subparagraph division (b), subparagraph subdivision (ii).

3 (c) The amount calculated under subparagraph (1),
4 subparagraph division (c), subparagraph subdivision (iv).

5 d. Funding received by a school district as the result of
6 supplementary weighting under this subsection shall not affect
7 a school district's eligibility for transportation assistance
8 under section 257.31, subsection 17.

9 e. Amounts received by a school district as the result
10 of supplementary weighting under this subsection shall be
11 deposited in the school district's general fund and may be used
12 for any general fund purpose.

13 f. If a school district established as the result of a
14 reorganization under chapter 275 does not have sufficient
15 transportation cost data, regular program district cost per
16 pupil data, or enrollment data for the calculation of amounts
17 required under this subsection, the department of management
18 shall use estimated transportation cost data, regular program
19 district cost per pupil data, and enrollment data derived from
20 data for prior budget years from each district involved in
21 the reorganization until such amounts can be calculated using
22 actual data for the reorganized school district.

23 g. For the budget years beginning July 1, 2018, July 1,
24 2019, and July 1, 2020, and if necessary, any subsequent budget
25 years, if insufficient or incomplete transportation cost data
26 makes the implementation of this subsection impractical, the
27 department of management shall, in consultation with the
28 department of education and the legislative services agency,
29 establish procedures and modified methodologies for calculating
30 supplementary weighting and funding amounts under this
31 subsection.

32 Sec. _____. Section 257.11, subsection 8, Code 2018, is
33 amended to read as follows:

34 8. *Pupils ineligible.* A Except for transportation weighting
35 under subsection 7A, a pupil eligible for the weighting plan

1 provided in section 256B.9 is not eligible for supplementary
2 weighting pursuant to this section unless it is determined
3 that the course generating the supplemental weighting has no
4 relationship to the pupil's disability. A pupil attending an
5 alternative program or an at-risk pupils' program, including
6 alternative high school programs, is not eligible for
7 supplementary weighting under subsection 2.

8 Sec. _____. Section 257.31, subsection 17, paragraphs a and d,
9 Code 2018, are amended to read as follows:

10 a. If a district's average transportation costs per
11 pupil exceed the state average transportation costs per
12 pupil determined under paragraph "c" by one hundred fifty
13 percent, the committee may grant transportation assistance aid
14 to the district using exclusively the funds transferred to
15 the committee in accordance with section 321.34, subsection
16 22. Such aid shall be miscellaneous income and shall not be
17 included in district cost.

18 d. Funds transferred to the committee in accordance with
19 section 321.34, subsection 22, are appropriated to and may be
20 expended for the purposes of the committee, as described in
21 this ~~section~~ subsection. However, highest priority shall be
22 given to districts that meet the conditions described in this
23 subsection. Notwithstanding any other provision of the Code,
24 unencumbered or unobligated funds transferred to the committee
25 pursuant to section 321.34, subsection 22, remaining on June
26 30 of the fiscal year for which the funds were transferred,
27 shall not revert but shall be available for expenditure for the
28 purposes of this subsection in subsequent fiscal years.

29 Sec. _____. EFFECTIVE UPON ENACTMENT. This division of this
30 Act, being deemed of immediate importance, takes effect upon
31 enactment.>

32 4. Title page, by striking lines 2 through 5 and inserting
33 <modifying and establishing provisions relating to the funding
34 of school districts, and including effective>

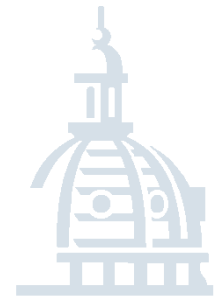
35 5. By renumbering, redesignating, and correcting internal

S-5002 (Continued)

1 references as necessary.

By TIM KRAAYENBRINK
AMY SINCLAIR

S-5002 FILED FEBRUARY 6, 2018



SF 2148 – Automated Traffic Law Enforcement Ban (LSB5244SV)
Analyst: Michael Guanci (515.729.7755) michael.guanci@legis.iowa.gov
Fiscal Note Version – Revised (fiscal impact)

Description

Senate File 2148 prohibits the use of automated traffic enforcement (ATE) devices by State and local authorities. This Bill requires the removal of all existing ATE devices by July 1, 2018.

Background

As of January 2018, eight cities operate 78 speeding and red light ATE devices. The State does not operate any ATE devices on the primary road system.

In January 2014, the Department of Transportation (DOT) adopted an administrative rule that regulated the use of ATE devices on the primary road system. In March 2015, the Department ordered nine traffic cameras on the primary road system to be removed. Of the nine ordered removed, seven remained in use pending rulings on several lawsuits filed by cities against the DOT. The ATE devices operating on secondary or city roads are not impacted by the DOT's existing administrative rules.

In April 2017, the Iowa district court for Polk County ruled that the DOT had the authority to regulate ATE devices on the primary road system. The ruling was upheld in June 2017 by the Iowa Supreme Court. By May 2017, the cities of Cedar Rapids, Des Moines, and Muscatine ceased issuing violations from ATE devices on the primary road system. Automated traffic enforcement devices operating on secondary or city roads were not impacted by the court ruling and are still operating per the local authorities' discretion.

Polk County declined to renew its vendor contract for ATE devices, and ceased issuing violations from its two mobile units in December 2017.

Under Iowa Code section [8A.504](#), the Department of Administrative Services (DAS) operates the Iowa Offset Program which can withhold certain State payments on behalf of local authorities to individuals and companies that do not pay their ATE violations. DAS charges \$7 per violation collected to offset the costs of administering the Program. Fees are deposited into the DAS general operating budget. The cities of Council Bluffs, Des Moines, Davenport, Fort Dodge, Muscatine, and Windsor Heights participated in the Program in FY 2017. Cedar Rapids has a signed agreement with the Iowa Offset Program; however, as of January 2018, the city has not submitted any unpaid violations for collection.

Assumptions

All existing ATE devices will cease operation on or before July 1, 2018. **Table 1** provides data on the number of ATE devices, base cost per violation, vendor's share, and share of local authorities' revenues.

TABLE 1

**Estimated Violations and Revenues from ATE Devices
(As of Jan. 26, 2018)**

Local Authority	Fiscal Year	Number of Operating ATEs	Number of Violations Issued	Number of Violations Collected	Base Cost per Violation*	Vendor Revenue	Local Authority Revenue**
Cedar Rapids	FY 2017	28	124,346	66,405	\$ 75	\$ 2,095,213	\$ 4,029,318
Council Bluffs	FY 2017	12	18,869	12,367	100	507,047	732,170
Davenport	CY 2017	14	39,807	22,785	65	478,485	1,002,540
Des Moines	FY 2017	8	77,146	76,811	65	1,852,576	3,140,062
Fort Dodge	FY 2017	2	7,169	5,776	75	165,403	274,517
Muscatine	FY 2017	9	11,012	9,430	75	254,610	586,066
Polk County	FY 2016	2	6,888	6,780	65	198,560	282,192
Sioux City	FY 2017	2	18,932	21,001	100	648,075	1,427,745
Windsor Heights	FY 2017	3	22,273	16,627	65	268,345	526,989
Totals		80	326,442	237,982		\$ 6,468,314	\$12,001,599

* Lowest violation amount. Actual violation amounts may increase depending on miles over the legal speed limit.
 ** Collected revenue may include fine moneys collected through Iowa Offset program for violations issued in prior years.
 Source: Local authorities

Fees paid to DAS for unpaid ATE device violations will cease over time as the local authorities collect a decreasing number of unpaid violations.

Fiscal Impact

It is estimated that SF 2148 will reduce revenue to the DAS by approximately \$75,000 in FY 2019. It is not known how much in fees for outstanding violations may be collected in FY 2020.

The Bill will decrease revenue to local authorities by an estimated \$12.0 million per fiscal year. Refer to the totals in **Table 1** for revenue decreases per local authority. **Table 2** provides data on which local funds would be impacted.

TABLE 2

Local Funds Receiving ATE Revenues	
Authority	Fund Impacted
Cedar Rapids	General Fund
Council Bluffs	General Fund
Davenport	General Fund
Des Moines	Police Operating Expenses
Fort Dodge	Salary Expenses for Police Dept.
Muscatine	Police Dept.
Polk County	Public Safety Fund
Sioux City	Public Safety Projects
Windsor Heights	General Fund & Police Dept.

Sources

Cedar Rapids City Manager's Office
 Council Bluffs Public Works
 Davenport Police Department
 Des Moines Government Relations
 Fort Dodge Police Department
 Muscatine Finance Department

Polk County Sheriff's Department
 Sioux City Police Department
 Windsor Heights Police Department
 Iowa Department of Transportation
 Department of Administrative Services

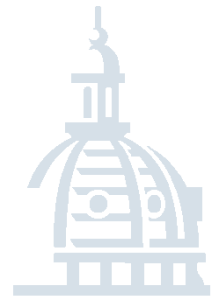
/s/ Holly M. Lyons

February 6, 2018

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 2163 – Snow Plow Lights, White and Blue, Permanency (LSB5325SV)
Analyst: Michael Guanci (515.729.7755) michael.guanci@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2163](#) repeals language in Iowa Code section [321.423](#) that sunsets the provisions on the pilot program permitting the Department of Transportation (DOT) to install rear-facing blue and white lights on snow removal equipment.

Background

Under 2015 Iowa Acts, ch. [81](#) (Snow and Ice Treatment and Removal — Lighting Devices and Reflectors Act), the General Assembly authorized the DOT to install rear-facing blue and white lights in addition to the existing amber lights on some snow removal equipment in order to examine if the updated lights would reduce collision accidents. The DOT installed the lights on 170 vehicles in Highway District 1, which is located in central Iowa.

Prior to installation of the new lighting design, crash rates for snow removal equipment averaged one for every 2,801 hours of operation in 2014-2015 winter months. During the pilot program, crash rates were reduced to one crash for every 8,813 hours of operation during the 2016-2017 winter months.

Under current law, the pilot program will be repealed on July 1, 2019.

Assumptions

[Senate File 2163](#) will allow the DOT to continue installing rear-facing blue and white lights on the remaining 670 snow removal vehicles at a cost of \$500 per vehicle.

Fiscal Impact

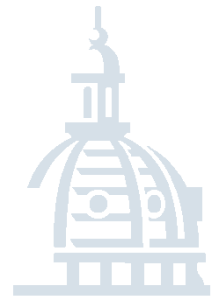
Installation of the lights on the remaining snow removal equipment is expected to cost the Highway Division of the DOT \$335,000 in FY 2019. The DOT will fund the installation through existing appropriations to the Division. The Highway Division is funded by appropriations from the Primary Road Fund.

Source

Iowa Department of Transportation

/s/ Holly M. Lyons

February 5, 2018



SF 2165 – Victims Compensation (LSB5650SV)
Analyst: Laura Book (515.205.9275) (laura.book@legis.iowa.gov)
Fiscal Note Version – New

Description

[Senate File 2165](#) concerns compensation payable under the Victim Compensation Program. The Bill expands the qualifying circumstances for economic loss and amends the compensation limitations under Iowa Code section [915.86](#).

[Senate File 2165](#) also allows a victim, secondary victim, or survivor of a deceased victim to be awarded additional compensation of up to \$5,000 per person under one of the following circumstances:

- The expenses were not eligible for compensation at the time the initial application for benefits was made;
- The qualifying person demonstrates an undue hardship, and the eligibility requirements and compensation limits at the time of application prevent compensation;
- The qualifying person incurs additional expenses from a “new event” that would otherwise be compensable, but for the compensation limits.

Background

The Victim Compensation Fund is administered by the Crime Victim Assistance Division of the Office of the Attorney General. Receipts to the Fund include criminal fines and penalties, victim restitution, a percentage of wages earned by inmates employed in the private sector, and federal funds. The year-end balance in the Fund carries forward to the next fiscal year. For further information, refer to the Legislative Services Agency **Budget Unit Brief** [Victim Compensation Fund](#).

In FY 2017, the Fund had a total of \$10.6 million in receipts and carried forward a balance of approximately \$694,000 to FY 2018.

Assumptions

- The average payout per claimant and for primary and secondary applicants will remain at less than \$2,000 each.
- Claims for funeral expenses, and essential clothing and bedding replacement, will continue to be the most common categories to reach the compensation limitation. It is also assumed that the funeral and clothing expenses will remain at \$7,500 and \$200, respectively.

Fiscal Impact

[Senate File 2165](#) has no fiscal impact on the State General Fund. The Bill is estimated to increase Victim Compensation Fund expenditures by \$200,000 annually. Over the past six years, applicants have reached the compensation limitation on benefit categories a total of 1,452 times. It is uncertain how many claims for additional compensation will occur, but the cost is unlikely to have a substantial impact on the Fund.

Source

Iowa Department of Justice – Crime Victim Assistance Division

/s/ Holly M. Lyons

February 5, 2018

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
